

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.: 5:15-cr-00445
v.	:	DATE FILED: 09/18/2015
JOHN R. HODDE	:	VIOLATIONS:
	:	18 U.S.C. § 1343 (wire fraud – 2
	:	counts)

**HANOVER INSURANCE COMPANY’S SUPPLEMENTAL BRIEF IN SUPPORT OF
MOTION TO INTERVENE AND TO UNSEAL PLEA AGREEMENT FOR LIMITED
PURPOSE**

Hanover Insurance Company (“Hanover”) submits the following supplement brief in support of its Motion to Intervene and Unseal Plea Agreement for Limited Purpose:

Hanover represented in its Motion that Perry M. Shorris, counsel for Hanover, had communicated with Nancy Potts, counsel from the United States Attorney’s Office, and that Ms. Potts had indicated that the United States would not oppose this Motion. Since then, Ms. Potts contacted Mr. Shorris and indicated that while the United States would not have opposed such a motion by the Defendant, it would oppose such a motion by Hanover or any other third party. Hanover and Mr. Shorris had not appreciated this nuance at the time Mr. Shorris and Ms. Potts originally communicated, largely because Hanover expected the Defendant to be the party filing this Motion. Subsequently, Hanover was unable to persuade the Defendant to file the Motion, but was also led to believe that the Defendant would not oppose this Motion. To the extent Hanover misrepresented the United States’ position, the misrepresentation was inadvertent, and Hanover apologizes.

Hanover does not bring its Motion to prejudice any party’s rights or interests. Hanover, however, is in a difficult position. Hanover is funding the Defendant’s defense, yet is hampered in its investigation of this matter – as well as a related civil lawsuit – because it is not currently

allowed to view the Plea Agreement. Hanover is not interested in publishing the information in the Plea Agreement to any other parties, but is merely interested in investigating the facts relevant to its insureds' defense and to issues of coverage under the insurance policy implicated by this action and the related civil action. Hanover is amenable to any conditions protecting the confidentiality of the Plea Agreement, as long as Hanover is able to view the document.

WHEREFORE, for the foregoing reasons, Hanover Insurance Company respectfully requests that the Court permit it to intervene in this action and order the Plea Document as to JOHN R. HODDE (Doc. 9) unsealed for the limited purpose of providing a copy to Hanover.

Respectfully Submitted,
Lewis Brisbois Bisgaard & Smith, LLP

/s/ Elizabeth R. Dill
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically, is available for viewing and downloading from the Electronic Case Filing System to All Counsel of Record.

/s/ Elizabeth R. Dill

Dated: March 25, 2016